

## WHY SO TOUGH?

Suppose your impaired driving results in an accident. Your friends are killed, the driver of the other car is critically injured, but you somehow survive.

It's not uncommon. Impaired drivers do kill and injure people when they are behind the wheel. And if they do, c.19 is really tough.

### The maximum penalties are:

- Impaired driving causing bodily harm — up to 10 years in prison and up to a 10-year prohibition from driving
- Impaired driving causing death — up to 14 years in prison and up to a 10-year prohibition from driving
- Criminal negligence causing bodily harm — up to 10 years in prison and up to a 10-year prohibition from driving
- Manslaughter and criminal negligence causing death — up to life in prison and up to a lifetime prohibition from driving.

All of these penalties apply equally to impaired boating and flying.



## THE FIRST STEP

c.19 is the first step toward a solution to the problem of impaired driving. More can be done. We can all help.

If you drink, it's your business. If you drink and drive, it's everybody's business. We need to work together to keep impaired drivers off the road. There is no reason for an impaired person to be behind the wheel. It's up to us to make sure they're not.

Taking action is the key.

Help an impaired friend get home safely. Recognize that your friend is in no condition to drive. Call a taxi. Make certain your friend goes home in it. You might be saving more than one life.

Having a party? Help your guests get home safely. A great evening could be ruined if one of your guests is arrested or has an accident on the way home.

Take a pledge with your parents. Promise each other that you won't drink and drive and that you won't get into a car with someone who has been drinking.

Many high schools have organized Safe Graduation programs to ensure that every graduation party has a happy ending. Talk to your teachers or your student council. See if you can get a program started in your school.

If you are out drinking with friends, have one person agree to stay sober and do all the driving.

And if you are out alone, let a cabbie be your sober driver. Roughly seven out of every ten teenage drivers killed in car accidents were drinking before the accident. Don't let the next victim be you.

Taking action is the only real and lasting solution. If we work together, we can do it. ONLY we can do it.

Également disponible sous le titre  
"Les jeunes! c.19  
est une loi dure...!"



International  
Youth Year 1985

# Teens!

Canada

# c.19\*

## is tough...

CAI  
J  
-2012



Department of Justice  
Canada

Ministère de la Justice  
Canada

## ...for impaired drivers

\*Chapter 19, Statutes of Canada 1985  
(Criminal Code of Canada)

### A TEEN KILLER

Imagine a typical classroom. Alive with activity. Full of anticipation for the holidays to come.

Then, suddenly, the classroom is empty — silent. Everyone is gone. Never to return.

Every year in Canada several hundred teenagers die in accidents involving alcohol. That's enough to empty a lot of classrooms.

We're talking about drivers who've had too much to drink. Drivers who have become impaired by taking prescription or illegal drugs — sometimes mixing them with even small amounts of alcohol — kill enough teens to empty several more classrooms EVERY YEAR.

The classroom here is imaginary. The victims are not. They could be your friends, classmates or family. One of them could be you.

Impaired driving is a major cause of teenage death. We need a tough new law that will stop impaired people from getting behind the wheel, a law that will protect everyone — innocent bystanders, passengers and impaired drivers too.

We need c.19.

### A TOUGH NEW LAW

c.19 — that's short for Chapter 19, Statutes of Canada 1985, and contains some new amendments to the Criminal Code. It's tough on impaired drivers.

Just how tough?

If you're impaired, you should not be driving — period. c.19 makes it illegal for you to operate any type of motor vehicle, boat or aircraft while impaired by alcohol or drugs.

c.19 brings in increased fines, longer jail terms and new court orders that will not allow you to drive even if you have a driver's licence.

And if you are found guilty of impaired driving, you will have a criminal record. Think about it.

The judge might take your impaired driving record into consideration if you face criminal charges in the future.

Impaired driving is a serious crime.

### THE CRIME

You and your friends just had a few drinks at a party. They all hop into your car and you drive off. You may not feel drunk, but you could be committing a crime and unknowingly endangering all your lives.

The Criminal Code says that you must not drive when your abilities are impaired by alcohol or drugs. And it doesn't take a lot of alcohol in your system to be impaired. The law sets the legal limit at .08 per cent. You can go over that limit by having only a couple of drinks, depending on body weight, time and other factors.

It doesn't matter if the vehicle is on the street, in a parking lot or sitting in your own driveway. It doesn't even have to be moving. You can still be charged with committing a crime if you are impaired and behind the wheel, even if you haven't started to drive.

c.19 applies to all types of motorized vehicles — cars, motorcycles, trucks, snowmobiles, all-terrain vehicles, heavy equipment and the like. It also covers all kinds of boats — motorboats, sailboats and other pleasure and commercial vessels. For aircraft, c.19 not only covers the pilot, but anyone assisting in its operation.

### THE PROOF

You're on the way home from the party and you're pulled over by the police, who suspect you may be impaired. Now what?

At the roadside, the police officer may ask you for breath samples to test the amount of alcohol in your blood. Or you may be taken to the police station to be tested.

Then again, if you can't physically give a breath sample, the police officer can ask you to let a doctor take blood samples to see if you're over the legal limit. They may also be taken by a nurse or hospital technician under a doctor's authority. If you are injured and cannot be asked, the police, with the permission of a judge, can ask a doctor to take blood samples. If you submit to a blood test, you have the right to have one of the samples tested independently.

If you refuse to give a breath or blood sample, you could be charged with committing a crime. The penalties are the same as for impaired driving.

### THE PENALTIES

If you are under 18, you will be charged with an offence under the **Young Offender's Act**. If convicted, a judge could fine you up to \$1,000, order you to do community work, prohibit you from driving, put you on probation or place you in custody.

If you are 18 or older and are convicted on an impaired driving charge, you could be fined, sent to jail or prohibited from driving for a number of months.

Under c.19, the minimum penalties are:

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|----------------------------------|---|
| ■ On first conviction            | — a fine of \$300 or more and a prohibition from driving for 3 months or longer   |
| ■ On second conviction           | — 14 days in jail or longer and a prohibition from driving for 6 months or longer |
| ■ On third and later convictions | — 90 days in jail and a prohibition from driving for 1 year or longer.            |

These are the minimum penalties. A judge may sentence you to a bigger fine, a longer jail term or a prohibition from driving of up to three years.

In addition, the provincial or territorial government may take away your driver's licence for the same or for an even longer period. Find out about the licence suspensions for impaired driving in the province or territory where you live.

It is a crime to drive when you have been ordered not to by a judge or when the province or territory has suspended your licence for an impaired driving conviction. If you do, you could face up to two years in prison and a further prohibition from driving of up to three years.

The Criminal Code also enables the ordering of treatment in some cases.

And remember. It's a crime to leave the scene of an accident. The penalties include up to two years in prison and a prohibition from driving of up to three years.